

**CITY OF FITCHBURG
CONSERVATION COMMISSION
DRAFT MEETING MINUTES**

TUESDAY, DECEMBER 30, 2008

COMMISSIONERS PRESENT: Tom Starr, Chairman, Mike Donnelly, Harry Karis, John Koutonen, Kevin Sanders (associate member)

STAFF: Dave Streb, Mike O'Hara

CALL TO ORDER: Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

PUBLIC HEARINGS

Notices of Intent - Labell Construction, Depot & Fairmount St., nine our two-unit dwellings (continued)
Requested to continue to January meeting.

Notice of Intent - "Balsam Heights" 20-lot subdivision, Fisher Rd.
Requested to continue to January meeting.

Commission reviewed note from Brian Devellis concerning sewer connection thru Lunenburg. Lunenburg BOS had approved in 2006. Commission wanted to confirm that Lunenburg BOS & DPW are still in favor of sewer extension.

Commission wanted letter sent to Lunenburg ConCom giving them an FYI on project.

Notice of Intent - City of Fitchburg, Shea St. Extension, sand & sediment removal from Shea Brook (continued from 11-25-09)

Commission reviewed:

12-18-08 letter from DFW re: rare wildlife habitat. The project meets standard for issuance of OOC.
12-29-08 letter from DFW re: Nat. Heritage & Endangered Species Program. Project exempt from a MESA review, any turtles or Blanding's Turtles found during work should be moved from work area.
Letter from Leominster DPW Director OK-ing project and the proposed work schedule.
We have verbal OK from DEM (now DCS) for permission to access parcel but waiting on letter.

Commission voted to approve with conditions:

- subject to obtaining written permission from DEM
- subject to draft work schedule (use hay bale check dams, rather than stone)
- subject to condition about Blanding Turtles as mentioned in Nat. Heritage & Endangered Species Program letter
- subject to providing sump (plunge pool) at outfall of storm drain pipes into Shea Brook.

Vote unanimous to approve.

OTHER BUSINESS:

Forest Hill Cemetery

Commission reviewed letter from Phil Jordan dated 12-29-08 for permission to remove trees damaged by December ice storm. Work would not be happening until Spring '09. Agreed that John K. will get together with Phil Jordan to review trees & see if they can be cut down.

Request for Certificate of Compliance

#155-413, Victoria Lane

Brian Milisci, Whitman & Bingham present representing Benjamin Bldrs.

Discussion about whether statement by Brian accompanying the request for Cert. of Compliance was worded properly – "work appears to have been completed in general conformance with plans..."

Brian: it's a standard statement they provide. Since W & B wasn't at the site all the time during construction, they can't state that every condition was met.

Mike D – 1 mil. yds. of fill was placed on "open space" as noted on plan. ConCom understood that this would be unaltered open space. Can W & B look at pre-construction topography and compare? Can the altered open space be restored.

Tom: issue with steep slope #1 -- adjacent to large detention basin, referred to Vollmer report of Sept. '06. Has that been resolved. Steep slope #2 behind lots on west site, on the open space. Vollmer had suggested getting a geotechnical engineer. Slumping on slope?

Mike D: there is still an erosion control issue.
Wants W & B to certify that the site does comply with all plans and conditions.

Brian will investigate & report back at a later meeting.

Certificate of Compliance

were signed for:

#155-531, Rollstone & Electric Ave. intersection improvements, DPW

#155-545, 1275 Rindge Rd., Septic Repair

#155-509, Gibson Rd., Wormell (had expired in 8/08)

#155-508, IC Credit Union, Electric Ave.

Extension Permits

#155-472, L&R Trust, 0 South St.

Commission reviewed request by Hannigan Engineering for a 3 year extension. OOC is scheduled to expire 1-31-09. Commission voted to grant a one-year Extension (to 1-31-10), and to notify the applicant that this will be the only extension granted. After that date, if project is not complete, the applicant must re-file an NOI and under the local wetlands Ordinance. In light of the local Wetlands Ordinance and associated Rules & Regulations adopted by the City in 2008, the Commission feels that their new standards should govern after that time.

OTHER BUSINESS:

Discussion w/ Dave Streb about increasing time for conservation agent & other issues.

Mike D. - Coggshall Park/ConCom land:

He hears that deal with Parks Board – the encroachments noted by survey will be allowed to stay.

ConCom not in favor of this on the ConCom land near Bouchard ouchard property. Will need ConCom's John Barrett is aware that one of the encroachments is on ConCom property. D Streb to follow up.

Kevin: new DEP Stormwater regs coming - ConComs will need to review all stormwater management plans.

He suggested donating \$\$ to MACC over & above dues. NO decision.

Coolidge Park – looks like grade of parking area near softball field is higher than on approved plan.

Dave will have it checked out.

Brickyard subdivision:

Need fence on top of slope behind Lots 2, 3, 4, 5 & need erosion controls installed. Will contact owner: Holden Sand & Gravel.

Motion made & seconded to adjourn. Vote unanimous.

Meeting adjourned: 9:30 p.m.

Next meeting: 1-27-09